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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/695,225	
	Filing Date	October 28, 2003	
	First Named Inventor	Makoto TAKEUCHI et al.	
	Art Unit	1754	
	Examiner Name	Stuart L. Hendrickson	
Total Number of Pages in This Submission	5	Attorney Docket Number	4819-031812

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	The Webb Law Firm		
Signature			
Printed Name	David C. Hanson		
Date	March 13, 2007	Reg. No.	23,024

CERTIFICATE OF TRANSMISSION / MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Lori A. Fratangelo	Date	March 13, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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{W0343775.1}

Application No. 10/695,225  
Paper Dated March 13, 2007  
Attorney Docket No. 4819-031812

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/695,225 Confirmation No. 5331  
Applicants : Makoto TAKEUCHI et al.  
Filed : October 28, 2003  
Title : CARBON MATERIAL AND METHOD OF MAKING SAME  
Art Unit : 1754  
Examiner : Stuart L. Hendrickson  
Customer No. : 28289

Mail Stop Amendment  
Commissioner for Patents  
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Alexandria, VA 22313-1450

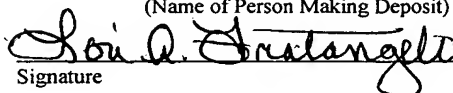
SUBMISSION OF DECLARATION UNDER 37 C.F.R. § 1.132

Sir:

In the prosecution of the above-identified application prior to the filing of the RCE, the Examiner rejected a Declaration because it was not signed by all four inventors. The fourth invention has now been located and has signed the Declaration. Hence, Okamura et al. U.S. Patent No. 6,310,762 is no longer a valid 35 U.S.C. §103(a) reference due to the operation of 35 U.S.C. §103(c)(1).

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 13, 2007.

Lori A. Fratangelo  
(Name of Person Making Deposit)

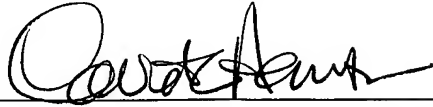
 03/13/2007  
Signature Date

Application No. 10/695,225  
Paper Dated March 13, 2007  
Attorney Docket No. 4819-031812

It is respectfully urged that this application is now in condition for allowance.

Respectfully submitted,

THE WEBB LAW FIRM

By 

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Application No. 10/695,225  
Atty. Docket No.: 4819-031812

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants : Makoto TAKEUCHI et al.  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION UNDER 37 C.F.R. § 1.132**

Sir:

We, Makoto Takeuchi, Katsumi Koike, Akinori Mogami, and Takamichi

Maruyama hereby declare as follows:

1. We are the inventors of the subject matter disclosed and claimed in the above-identified patent application.

2. At the time this invention was made, both the invention disclosed in the above-identified patent application and Okamura et al. U.S. Patent No. 6,310,762 were owned or under obligation to be assigned to JEOL Ltd.

3. We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the

Application No. 10/695,225  
Atty. Docket No.: 4819-031812

like so made are punishable by fine or imprisonment or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Makoto Takeuchi  
Makoto Takeuchi

Dec. 19, 2006  
Date

Katsumi Koike  
Katsumi Koike

Dec. 19, 2006  
Date

Akinori Mogami  
Akinori Mogami

Dec. 19, 2006  
Date

Takamichi Maruyama  
Takamichi Maruyama

Feb. 23, 2007  
Date